7035-0003.03

**PATENT** 

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re application | on of POLITO et al.            |                             |
|-------------------|--------------------------------|-----------------------------|
| Serial No.:       | CON of 09/638,668              | Examiner: Unassigned        |
| Confirmation 1    | No.:                           | Art Unit: Unassigned        |
| Filed:            | On even date                   |                             |
| For:              | METHOD AND APPARATUS FOR ASSAY | R PERFORMING A LATERAL FLOW |

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

| 97 | and 1.9 | 98.   |
|----|---------|---|
|    | 0       | Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.  |
|    | [X]     | No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. <u>09/638,668</u> to which the above-identified application claims priority under 35 U.S.C. §120. |
|    | []      | Publication(s) listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to application serial no and mailed on   |
|    |         | Enclosed is a copy of a non-English publication(s) Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).   |

| []   | Enclosed is a copy of a non-English publication(s) English language publication (copy enclosed) claims priority from this non-English publication. |  |  |  |  |
|--|--|--|--|--|--|
| ()   | Enclosed is an explanation of non-English publication(s) for which an English translation is not available.  |  |  |  |  |
| O  | Enclosed is an English translation of non-English publication(s)cited in the attached Form PTO/SB/08A.   |  |  |  |  |
| []   | Enclosed is a copy of pending patent Application Serial No   |  |  |  |  |
| This Information Disclosure Statement is filed with the herein continuation application. |  |  |  |  |  |
| It is respectfully requested that the Examiner consider the above-noted                  |  |  |  |  |  |
| information and return an initialed copy of the attached Form PTO/SB/08A to the          |  |  |  |  |  |
| undersigned  |  |  |  |  |  |
|  | 1 )  |  |  |  |  |

Respectfully submitted,

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By:

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| Substitute for form 1449A/PTO     |   |               | 0          | Complete if Known      |                   |  |
|-----------------------------------|---|---------------|------------|------------------------|-------------------|--|
|                                   |   |               |            | Application Number     | CON of 09/638,668 |  |
| INFORMATION DISCLOSURE            |   |               |            | Filing Date            | On even date      |  |
| STATEMENT BY APPLICANT            |   |               | PPLICANT   | First Named Inventor   | POLITO            |  |
|                                   |   |               |            | Group Art Unit         | Unassigned        |  |
| (use as many sheets as necessary) |   | Examiner Name | Unassigned |                        |                   |  |
| Sheet                             | 1 | of            | 1          | Attorney Docket Number | 7035-0003.03      |  |

| U.S. PATENT DOCUMENTS |                              |                      |                                      |                 |                              |
|-----------------------|------------------------------|----------------------|--------------------------------------|-----------------|------------------------------|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup>     | U.S. Patent Document |                                      |                 | Date of Publication of Cited |
|                       |                              | Number               | Kind Code <sup>2</sup><br>(if known) |                 | Document MM-DD-YYYY          |
|                       | A1                           | 4,626,684            |                                      | Landa           | 12-1986                      |
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|                       | <u> </u>                     |                      |                                      |                 |                              |

| FOREIGN PATENT DOCUMENTS |              |                         |                     |                                      |   |  |  |
|--------------------------|--------------|-------------------------|---------------------|--------------------------------------|---|--|--|
| Examiner<br>Initials*    | Cite<br>No.1 | Foreign Patent Document |                     |                                      |   | Date of Publication                              |  |
| illitais.                | 140.         | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) | Name of Patentee or Applicant of Cited Document | of Cited Document<br>MM-DD-YYYY                  | T <sup>6</sup>                                   |
|                          | Bl           | WO                      | 58/730              |                                      | IDEXX Laboratories, Inc.                        | 10-05-2000                                       |  |
|                          | <b> </b>     |                         |                     |                                      |   |  |  |
| ·                        | +            | 1-1                     |                     | <del></del>                          |   | <del>                                     </del> | <del>                                     </del> |

|           | <br>           |  |
|-----------|----------------|--|
| Examiner  | Date           |  |
| Signature | <br>Considered |  |
|           |                |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

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Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

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